

CITY OF LYNN

**Regular City Council Meeting, April 9, 2019
Council President Darren P. Cyr**

**Ten Councilors Present (Councilor LaPierre absent).
Moment of Silence.
Pledge of Allegiance.**

**Motion made by Councilor Colucci and seconded by Councilor Barton to accept the Meeting Minutes of March 26, 2019.
Motion carried.**

Council President Cyr stated that Councilor LaPierre called to say he would be late for the meeting.

PUBLIC HEARINGS:

Petition of Margaret Ansara, 29 Parsons Drive Swampscott MA to allow the City of Lynn Licensed Mobile Food Trucks to operate at 702 Lynnway, seven days per week 9:00 am to 8:30 pm

The following appeared in Favor:

Justin Morley, Lynn

Calvin Anderson, 12 Concord Street, Lynn

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Hogan and seconded by Councilor Net to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

9 YES 1 NO (Councilor Starbard voting NO; Councilor LaPierre absent at vote).

Proposed ORDINANCE: Ordinance amending the Ordinance regulating Wireless Communication Facilities to be located in the City of Lynn in public ways.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Walsh and seconded by Councilor Lozzi to grant.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor LaPierre absent at vote).

Bond Order:

ORDERED: That the City of Lynn appropriates the amount of Four Million Two Hundred Thirty-Seven Thousand Seven Hundred Eighty-Eight Dollars (\$4,237,788.00) for the purpose of paying costs of the design and replacement of the roof at the Lynn Vocational & Technical Institute annex located at 80 Neptune Boulevard, Lynn MA, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City may be eligible for a grant from the MA School Building Authority ("MSBA"), said amount to be expended under the direction of School Committee. To meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under M.G.L. c. 44, M.G.L. c. 70B, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that the City may receive from the MSBA for the Project shall not exceed the lesser of seventy-nine and fifty-eight hundredths percent (79.58%) of eligible approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of MA (the "Commonwealth") to qualify under M.G.L. c. 44A any and all bonds or notes authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Councilor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a Bond Order / ORDERED: That the City of Lynn appropriates the amount of Four Million Two Hundred Thirty-Seven Thousand Seven Hundred Eighty-Eight Dollars (\$4,237,788.00) for the purpose of paying costs of the design and replacement of the roof at the Lynn Vocational & Technical Institute annex located at 80 Neptune Boulevard, Lynn MA, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the

required educational program, and for which the City may be eligible for a grant from the MA School Building Authority ("MSBA"), said amount to be expended under the direction of School Committee. To meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under M.G.L. c. 44, M.G.L. c. 70B, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that the City may receive from the MSBA for the Project shall not exceed the lesser of seventy-nine and fifty-eight hundredths percent (79.58%) of eligible approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of MA (the "Commonwealth") to qualify under M.G.L. c. 44A any and all bonds or notes authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor LaPierre absent at vote).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor LaPierre absent at vote).

PUBLIC HEARINGS TO BE SET DOWN:

Petition of Jarrod Falite, 50 Porter St Melrose, MA to operate Bostica LLC, a Marijuana Cultivation Facility at 71 Linden St, 7 days per week, operation to require 24 hour care.

Petition of National Grid for a grant of location to install a new pad for a 300 KVA transformer in the Washington Square area of Nahant St at Broad St.

Motion made by Councilor Colucci and seconded by Councilor Starbard to set down for Public Hearings.

Motion carried.

COMMITTEE REPORTS:

Report of the Committee on Utilities recommending the following to be accepted:

Tabled Petitions from the March 12, 2019 Meeting

Petition of National Grid to install 13 JO poles and anchors on poles, all on Harwood St. **(Chakoutis) – Granted**

Petition of National Grid to install conduits from 4 poles to 4 different manholes on Harwood St. **(Chakoutis) – Granted**

REPORT ACCEPTED

Report of the April 9, 2019 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS NEW

Campbell, Michael: 20 Beacon Hill Ave- **Tabled**

Haddigan, Keith: 268 Essex St, Beverly- **Tabled**

Mendez-Mendez, Miguel Damian: 29 Rock Ave- **Granted**

Sanchez Rodriguez, Hector Danilo: 940 Parker St Apt 366 Jamaica Plain- **Granted**

LIVERY SERVICE NEW

Safe & Secure Limousine LLC: 180 Commercial St (owner Youssufan, Luine)- **Tabled**

LIVERY OPERATORS NEW

Youssufan, Luine: 17 Bickford Ave, Revere- **Tabled**

MOBILE FOOD TRUCK - NEW (for 3-11 Mt. Vernon St location)

11 Westgate Road, Attleboro, MA, The Burgundian, LLC- **Granted**

AUTO REPAIR/ FLAMMABLE LICENSE – NEW

1069 Western Ave. - Mell's Tire and Auto Services **(New Owner) - Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

18B Alley St. – Caribbean Auto Body & Mechanic- **Granted**

178 Alley St.- Collision Auto Craft- **Granted**

47 Bennett St. – VEO Autobody Solutions & Repair, Inc. - **Granted**

47 Bennett St. – Auto Works Collision Center- **Granted**

148 Fayette St. – Mike's Auto Repair & Auto Body- **Granted**

443 Lynnway – Toro's Auto Center, Inc. - **Granted**

1117 Western Ave. – Pro-Tech Auto Body & Performance, Inc. - **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

17 B Alley St. – Magic Auto Repair- **Granted**
 182 Alley St. – T.G.'s Taxi- **Granted**
 15 Avon St. – John's Fuel Service, Inc. - **Granted**
 805 Boston St. – A.G. Inc. dba Town Line Service- **Granted**
 101 Central Ave. – Los V Tires- **Granted**
 106 Chestnut St. – Los V Tires- **Granted**
 106 Chestnut St. – Bodre Auto Repair- **Granted**
 99 Cottage St. – Mark A. King, LLC- **Granted**
 12A Ellis St. – Mora Auto Repair- **Granted**
 287 Essex St. – Essex Auto Repair- **Granted**
 27 Marion St. – A & R Auto Repair- **Granted**
 76 Oakville St. – Meninno Construction- **Granted**
 125 Pleasant St. – Caruso's Auto Repair, Inc. - **Granted**
 35 Suffolk St. – City Transportation- **Granted**
 725 Summer St. – RD Auto- **Granted**
 240 Western Ave. – JVS Auto Service dba Gibbs Auto Service- **Granted**
 860 Western Ave. – Sonny Auto Repair- **Granted**

FLAMMABLE LICENSE –RENEWAL

172 Boston St. – Arctic Oil Company- **Granted**
 423 Boston St. – A.L. Prime Energy- **Granted**
 229 Broadway – Fardin Inc. dba Richdale- **Granted**
 31 Collins St. Ter.- Delulis Brothers Construction- **Granted**
 91 Commercial St. Hibernia Allantic US LLC (GTT) - **Granted**
 225 Commercial St. – Turner, Inc. - **Granted**
 247A Commercial St. – Lynn Transfer Station- **Granted**
 500 Lynnfield St. – NSMC Union Hospital- **Granted**
 154 Lynnway – Seaport Landing- **Granted**
 195 Market St. – Eastern Bank- **Granted**
 95 Munroe St. – Beden Hardware- **Granted**
 638 Summer St. – C.L. Hawthaway- **Granted**
 650 Summer St. – C.L. Hawthaway- **Granted**
 659 Summer St. – C.L. Hawthaway- **Granted**
 510 Washington St. – Michael Russo Jr. Plumbing & Heating Co., Inc. - **Granted**
 2 Western Ave. – Dom's Oil Co. - **Granted**
 969 Western Ave. – A.L. Prime Energy- **Granted**

SIGN LICENSE-RENEWAL

145 Franklin St., Cotui Barbershop- **Granted**
 49 Union Street, Sunset Caribbean Haitian Rest. - **Granted**
 100 Union Street, Vitoria Meat Market- **Granted**
 734 Western Ave., Evolution Wireless- **Granted**

TRANSIENT VENDOR-RENEWAL

Flax Pond Area, Abdelkader Adlafi (*flowers*) – **Granted**

OTHER BUSINESS:

CANNING:

Lynn Band Boosters (Adults Only) – April 27, 28, 2019 - **Granted**
REPORT ACCEPTED.

Report of the April 9, 2019 Committee of the Whole recommending the following to be accepted:

1. Presentation by Metropolitan Area Planning Council (MAPC)
 re: Long-Term Planning Services - Recommendations

2. OTHER BUSINESS
REPORT ACCEPTED.

NEW BUSINESS:

Barton / Resolution

RESOLUTION

WHEREAS, Kevin A. Cahill born and raised in Lynn and lived much of his life in America Park, in West Lynn. Kevin graduated from Lynn English High School in 1966 and soon after joined the United States Marine Corps; and

WHEREAS, Kevin A. Cahill served in Vietnam with the men of Charlie Company, First Battalion, First Marine Regiment, First Marine Division where his brothers considered him “a Marine’s Marine”; and

WHEREAS, Kevin A. Cahill was Killed in Action on October 12, 1967 at Quang Tri, near the DMZ in Vietnam; and

WHEREAS, Kevin A. Cahill’s name is etched on the Lynn Vietnam Veterans Memorial and at the Vietnam Wall in Washington DC on Panel 27D, Line 93 where he and over 57,000 other men and women who made the ultimate sacrifice in Vietnam will always be remembered; and

WHEREAS, Kevin A. Cahill and fellow Marines were immortalized in the book, “Lions of Medina” that detailed their service and sacrifice during what some of the hardest fighting in the Vietnam War; and

THEREFORE, BE IT RESOLVED, that the Lynn City Council remembers and honors the service and sacrifice of this American hero; and

BE IT FURTHER RESOLVED, that the Lynn City Council wishes to move Kevin A. Cahill Square from the intersection of Mazza Road and Lynnfield Street to the intersection of Boston Street and Myrtle Street and that a copy of these resolutions be spread upon the records of the Lynn City Council.

Motion made by Councilor Barton and seconded by Councilor Walsh to grant.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor LaPierre absent at vote).

Motion made by Councilor Walsh and seconded by Council President Cyr to wish Jayle Walsh a Happy Birthday.

Motion carried.

Motion made by Councilor Colucci and seconded by Councilor Chakoutis to adjourn.

Notice of this meeting was posted in the City Clerk’s Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK